

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RONALD JOHN MITCHELL,

Petitioner,

v.

PITKINS ET AL.,

Respondents.

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CIVIL ACTION

NO. 10-3532

ORDER

AND NOW, this ____ of December, 2010, upon careful and independent consideration of the Petition for Writ of *Habeas Corpus* filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart (Doc. 9), **IT IS HEREBY ORDERED** and **DECREED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for Writ of *Habeas Corpus* is **DENIED** with prejudice; and
3. There is no basis for the issuance of a certificate of appealability.

IT IS FURTHER ORDERED that the Clerk of the Court shall mark the above-captioned case as **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.